

87



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/512,268

02/24/2000

Makiko Mori

862.C1847

5969

5514

7590

02/07/2005

FITZPATRICK CELLA HARPER & SCINTO
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

EXAMINER

TRAN, TRANG U

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/512,268

Applicant(s)

MORI ET AL.

Examiner

Trang U. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/23/04, 12/7/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Sep. 24, 2004 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 5-11 and 13-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 5-6, 8-10, 13-14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US Patent No. 6,172,719 B1) in view of Watanabe Yoshinao (JP Publication No. 06-062346).

In considering claim 1, Kim discloses all the claimed subject matter, note 1) the claimed first detection means, arranged in the image display device, for detecting a first ambient environment around the image display device is met by the chromaticity

Art Unit: 2614

sensing section 21 for sensing environmental brightness and color of the appliance (Fig. 2, col. 4, line 40 to col. 5, line 27), 2) the claimed second detection means, arranged in the image display device, for detecting a second ambient environment around the image display device is met by the temperature sensing section 28 for sensing a environmental temperature of the appliance (Fig. 2, col. 4, line 40 to col. 5, line 27), 3) the claimed transmission means for transmission a change of the first ambient environment detected by said first detection means to the controller is met by the output signal from the chromaticity sensing section 21 (Fig. 2, col. 4, lines 40-55), 4) the claimed first adjustment means for adjusting a first characteristic of the image display device based on the change transmitted by said transmission means is met by the contrast control section 24 or the brightness control section 25 which control the brightness of the picture to be display (Fig. 2, col. 5, lines 48-62), 5) the claimed second adjustment means for adjusting a second characteristic of the image display device based on a change of the second ambient environment detected by said second detection means is met by the white point control section 26 which controls the respective levels of the RGB primary color signals (Fig. 2, col. 5, line 1 to col. 6, line 42), and 6) the claimed control means for displaying the image on the image display device based on adjustment results of said first and/or second adjustment means is met by the white point control section 26 which controls the respective levels of the RGB primary color signals outputted from the brightness control section 25 in accordance with the variation of the environment temperature, and outputs the level-controlled RGB color

Art Unit: 2614

signals to the CRT driving circuit through the output buffer section 27, so that displayed on the screen (Figs. 2 and 5-6, col. 5, line 1 to col. 6, line 42).

However, Kim does not specifically disclose the newly added limitation that the first detection means and second detection means are arranged in the display device.

Watanabe Yoshinao teaches that the television receiver characterized by having a sound-volume detection sensor, the sound-volume control circuit which makes an electrical signal detected sound volume and is changed into the control signal, and the photosensor 8 built in the television receiver, the surrounding brightness of the television receiver is detected, brightness is changed and outputted to an electrical signal, the video signal processing circuit 3 is controlled by the image control circuit 10, and image quality control is performed (Fig. 2, [0002]-[0012]).

It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the first detection means and second detection means are arranged in the television receiver as taught by Watanabe Yoshinao into Kim's system in order to accurately detect the ambient environment of the display device.

In considering claim 2, the claimed wherein said first and second adjustment means performs an adjustment operation when the detection result of said first and second detection means changes not less than a predetermined degree is met by the referred to as "nature eyes" or "nature sensor" (col. 6, lines 20-42 of Kim).

In considering claim 5, the claimed wherein said first detection means detects a change in brightness, and said first adjustment means performs an adjustment operation corresponding to a change in brightness is met by the chromaticity sensing

Art Unit: 2614

section 21 and the contrast control section 24 or the brightness control section 25 which control the brightness of the picture to be display (Fig. 2, col. 4, line 40 to col. 6, line 42 of Kim).

In considering claim 6, the claimed wherein said second detection means detects a change in color temperature, and said second adjustment means performs a color temperature adjustment operation is met by the temperature sensing section 28 and the white point control section 26 which controls the respective levels of the RGB primary color signals (Fig. 2, col. 4, line 40 to col. 6, line 42 of Kim).

In considering claim 8, the claimed wherein an adjustment result of said second adjustment means is informed to the controller is met by the control signals outputted from the microprocessor 22 for controlling either brightness, contrast or color temperature of the picture display (Fig. 2, col. 5, line 48 to col. 6, line 7 of Kim).

Claims 9-10 are rejected for the same reason as discussed in claims 1-2, respectively.

Claims 13-14 are rejected for the same reason as discussed in claims 5-6, respectively.

Claim 16 is rejected for the same reason as discussed in claim 8.

Claim 17 is rejected for the same reason as discussed in claim 1.

Claim 18 is rejected for the same reason as discussed in claim 1.

In considering claim 19, the claimed wherein the adjustment operation is a contrast adjustment operation is met by the contrast control section 24 or the brightness

Art Unit: 2614

control section 25 which control the brightness of the picture to be display (Fig. 2, col. 5, lines 48-62 of Kim).

Claim 20 is rejected for the same reason as discussed in claim 19.

5. Claims 3, 7, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US Patent No. 6,172,719 B1) in view of Watanabe Yoshinao (JP Publication No. 06-062346), and further in view of Shirayanagi Isao et al (JP Publication No. 10-262198 A).

In considering claim 3, the combination of Kim and Watanabe Yoshinao disclose all the limitations of the instant invention as discussed in claims 1 and 3 above, except for providing the claimed further comprising third detection means, arrange in the controller, for detecting a third ambient environment around the controller, wherein said first adjustment means adjusts the first characteristic based on the transmitted change and a change of the third ambient environment detected by said third detection means. Shirayanagi Isao et al teach that the open/close switch 17 is provided at a side passage 16 which is connected to the attenuator 15 in parallel, the open/close switch 17 is closed by a signal transmitted from the detection switch 33 when the receiver 32 is unhooked, a voice signal is transmitted to a speaker 14 via the attenuator 15 so as to reduce or eliminate a voice level (see abstract). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the detection switch as taught by Shirayanagi Isao et al into the combination of Kim and Watanabe Yoshinao's system in order to eliminate inconvenience to adjust the volume of TV set whenever a phone call is made by providing a volume reducing means for the TV set.

Art Unit: 2614

In considering claim 7, the claimed wherein said third detection means detects a busy telephone signal, and said first adjustment means performs a volume adjustment operation to reduce noise in accordance with said first detection means is met by the open/close switch 17 is provided at a side passage 16 which is connected to the attenuator 15 in parallel, the open/close switch 17 is closed by a signal transmitted from the detection switch 33 when the receiver 32 is unhooked, a voice signal is transmitted to a speaker 14 via the attenuator 15 so as to reduce or eliminate a voice level (see abstract of Shirayanagi Isao et al).

Claim 11 is rejected for the same reason as discussed in claim 3.

Claim 15 is rejected for the same reason as discussed in claim 7.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (703) 305-0090. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT TT
January 19, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600